



PLANNING COMMISSION AGENDA

HAL KISSLER, Chair

Commission Members
JAIME HOLT, Vice Chair
LORI CHERRY
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CHARLES VANG
ROJELIO VASQUEZ

Planning and Development
Interim Director/Secretary
KEITH BERGTHOLD

Deputy City Attorney
JOHN FOX

The Planning Commission welcomes you to this meeting.

November 19, 2008

Wednesday

6:00 p.m. to 9:30 p.m.

City Hall, Second Floor, COUNCIL CHAMBER, 2600 Fresno Street

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call Planning and Development Department staff at 559-621-8277.

Metered parking is in effect throughout the downtown area. The general public wishing to attend a Planning Commission meeting at City Hall may park after 5 p.m. in the parking lot at the northeast corner of Tulare and P Streets or in the parking lot east of City Hall across the railroad tracks. Both parking lots have entrances from Tulare Street. and parking restrictions have been relaxed in these lots for those attending the meeting.

- I. **ROLL CALL**
- II. **PLEDGE OF ALLEGIANCE**
- III. **PROCEDURES**

For each matter considered by the Commission, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from supporters of the project will then be taken, followed by testimony from those in opposition. The applicant will have the right to a final rebuttal presentation prior to closing the public hearing.

In accordance with Section 13 of Article 2 of the Planning Commission Rules and Regulations governing length of public debate, all public testimony from those in support and in opposition of the project will be limited to five minutes per person. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with a soft bell ring when one minute is remaining. The speaker should be completing the testimony by the time the red light comes on with a final bell indicating time has expired. All public testimony must be presented to the Commission at the podium. Any testimony that references race, religion, economic status, national origin, shall be deemed out of order, irrelevant and will not be considered by the Commission in making its land use determinations.

If you challenge these land use matters in court, you may be limited to raising only those issues you or someone else raised in oral or written testimony at or before the close of the hearing.

IV. AGENDA APPROVAL

- A. Consent Calendar Requests
- B. Continuance Requests
- C. Other Agenda Changes

V. CONSENT CALENDAR

All Consent Calendar items are considered by the Planning Commission to be routine and will be enacted in one motion. There will be no separate discussion of these items unless requested, in which event the items will be removed from the Consent Calendar and considered prior to approval of the Consent Calendar. If any member of the public wishes to have a specific item removed for discussion, be present when the meeting is called to order and the Chair announces the Consent Calendar. Commission approval of Consent Calendar items for which there is no discussion shall constitute adoption of the staff recommendation.

- A. Minutes – Meeting Minutes of October 15, 2008
- B. Communications
- C. Entitlements

VI. REPORTS BY COMMISSIONERS

VII. CONTINUED MATTERS

- A. Consideration of an appeal of the action of the Planning and Development Department Director approving Conditional Use Permit Application No. C-08-76, filed by Gurmeet Singh on behalf of Campasino's Meat Market, pertaining to approximately 8,000 square feet of commercial tenant space located on the northwest corner of South Trinity and East Whites Bridge Avenues (245 East Whites Bridge Avenue). The subject site is zoned C-6 (*Heavy Commercial*). (*Continued from the meeting of October 15, 2008.*)
 - 1. Environmental Assessment No. C-08-76, determination of a Categorical Exemption from the requirements of the California Environmental Quality Act.
 - 2. Conditional Use Permit Application No. C-08-76, requesting authorization to upgrade the current State of California Alcoholic Beverage Control license from a Type 20 to Type 21 to sell beer, wine, and distilled spirits for off-premises consumption where sold.
 - Edison Community Plan
 - Council District 3 (Councilmember Sterling)
 - Staff Member: Mikeal Chico
 - Staff Recommendation: Deny Appeal and Uphold Director's Action of Approval
 - May be considered by the City Council

VIII. NEW MATTERS

A. CONTINUE TO DECEMBER 3, 2008

Consideration of amendment to the Conditions of Approval for Vesting Tentative Parcel Map No. 2001-01, filed by Granville Homes, pertaining to the approval of Parcel Map No. 2001-01 (recorded on July 23, 2002). Parcel Map No. 2001-01 subdivided approximately 17.65 net acres of property located on the northeast corner of the intersection of North Chestnut and East Nees Avenues.

1. Amend Conditions of Approval for Vesting Tentative Parcel Map No. 2001-01 related to the construction of off-site public street improvements along the street frontages of an approximately 10-acre parcel located on the immediate northeast corner of North Chestnut and East Nees Avenues. The 10-acre parcel was created by the recorded parcel map and has been sold by Granville Homes to a new owner. All of the required off-site improvements were previously secured by Granville Homes through a bond with the recordation of Parcel Map No. 2001-01. Approval of the requested amendment to the conditions of approval would permit release of the bond by Granville Homes and transfer the obligation for construction of improvements to the current property owner. If the proposed amendment is approved, construction of all of the respective improvements would be required at the time of development of the subject property.

- Woodward Park Community Plan
- Council District 6 (Councilmember Duncan)
- Staff Member: Will Tackett
- Staff Recommendation: Continue to December 3, 2008
- May be considered by the City Council

B. Consideration of Amendment No. 1 to the 2008-2013 City of Fresno Housing Element of the 2025 Fresno General Plan and recommendation of adoption to the City Council.

- City-wide application
- Staff Member: Claudia Cazares
- Staff Recommendation: Recommend Approval
- Will be considered by the City Council

C. Consideration of Vesting Tentative Tract Map No. 5938, environmental findings, for the proposed conversion of the "Maroa Village" multiple family residential apartment complex to a one common lot condominium project, filed by Finamore and Battaglia, pertaining to 2.0 acres of property zoned R-1 (*Single Family Residential*) located north of the northeast corner of North Maroa and West Barstow Avenues.

1. Environmental Assessment No. T-5938, determination of a Categorical Exemption from the requirements of the California Environmental Quality Act (CEQA).
2. Vesting Tentative Tract Map No. 5938, a one common lot subdivision for conversion to a condominium project to allow for the sale of 13 units for individual airspace ownership in the "Maroa Village" complex.

- Bullard Community Plan
- Council District 2 (Councilmember Calhoun)
- Staff Member: David Braun
- Staff Recommendation: Recommend Approval
- Will be considered by the City Council

VIII. NEW MATTERS - *Continued*

D. Consideration of Rezone Application Nos. R-08-16, R-08-17, R-08-18, and R-08-19, and environmental findings, filed by the City of Fresno, pertaining to 10 properties totaling approximately 180 acres generally located between Freeway 41 and Freeway 99, south of downtown Fresno.

1. Environmental Assessment No. R-08-16/R-08-17/R-08-18/R-08-19, determination of initial study to file a Finding of Conformity to MEIR 10130 for the 2025 Fresno General Plan.
2. Rezone Application Nos. R-08-16, R-08-17, R-08-18, and R-08-19 propose to rezone 10 properties from the R-A/UGM (*Single Family Residential Agricultural/Urban Growth Management*), AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*), and AE-20/UGM (*Exclusive Twenty Acre Agricultural/Urban Growth Management*) zone districts to the M-3/UGM (*Heavy Industrial/Urban Growth Management*) zone district.
 - Edison Community Plan (R-08-17 and R-08-18)
 - Roosevelt Community Plan (R-08-16 and R-08-19)
 - Council District 3 (Councilmember Sterling)
 - Council District 5 (Councilmember Dages)
 - Staff Member: David Braun
 - Staff Recommendation: Recommend Approval
 - Will be considered by the City Council

E. CONTINUE TO DECEMBER 3, 2008

Consideration of an appeal of the action of the Planning and Development Department Director approving Conditional Use Permit Application No. C-08-214, filed by Country Squire Investments LLC, pertaining to approximately 4.13 acres of property located on the southeast corner of North First Street and East Ashlan Avenue. The subject site is zoned C-2 (*Community Shopping Center*) and P (*Off-Street Parking*).

1. Environmental Assessment No. C-08-214, determination of initial study to file a Finding of Conformity to MEIR 10130 for the 2025 Fresno General Plan.
2. Conditional Use Permit Application No. C-08-214, requesting authorization to construct a 13,969 square-foot Fresh & Easy grocery store, a 14,820 square-foot Walgreens with a drive-through service window, and a 7,475 square-foot multiple-tenant shop. The application also requests a Type 21 ABC license (*off-sale of beer, wine, and distilled spirits for consumption off the premises where sold*) to sell alcoholic beverage products at the proposed Fresh & Easy grocery store.
 - McLane Community Plan
 - Council District 4 (Councilmember Caprioglio)
 - Staff Member: McKencie Contreras
 - Staff Recommendation: Continue to December 3, 2008
 - May be considered by the City Council

IX. REPORT BY SECRETARY

X. UNSCHEDULED ORAL COMMUNICATIONS

You may address the Planning Commission at the conclusion of the Commission meeting regarding matters of public interest that are not listed on the agenda and that are within the Commission's jurisdiction. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on the Planning Commission agenda should contact the Planning and Development Department, (559) 621-8277, at least 10 days before the desired appearance date.

XI. ADJOURNMENT

UPCOMING MATTERS

(Dates subject to change)

December 17, 2008 -- Consideration of an appeal of the revocation of Site Plan Review No. S-06-353

-- Workshop on Open Space

January 2009 – Workshop on Drive-Through Service Windows